

3870. Adulteration of jam. U. S. v. F. F. Stetson (F. F. Stetson & Co.). Plea of nolo contendere. Fine, \$1 and costs. (F. & D. No. 2259. I. S. No. 14046-b.)

On September 5, 1911, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against F. F. Stetson, doing business under the name and style of F. F. Stetson & Co., Los Angeles, Cal., alleging the sale by said defendant, on December 17, 1909, under a written guaranty that the article was not adulterated within the meaning of the Food and Drugs Act, of a quantity of so-called blackberry jam, blended with apple juice, which was an adulterated article within the meaning of said act, and which said article, without having been changed in any particular, was shipped by the purchaser thereof on December 20, 1909, from the State of California into the Territory of Arizona, in violation of said Food and Drugs Act. The product was labeled: "Saratoga Brand, Extra Quality Blackberry Jam, Berry blended with Apple Juice."

Microscopical examination of a sample of the product by the Bureau of Chemistry of this department showed that it was a mixture of old mold-infested material and fresher berries, and was not fit for consumption. The mold and spores were very abundant.

Adulteration of the product was alleged in the information for the reason that it consisted wholly and in part of a filthy, decomposed, and putrid vegetable substance, composed of old mold-infested material mixed with fresher berries, with mold and spores very abundant, the same not being fit for human consumption.

On January 30, 1915, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$1 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., May 26, 1915.